IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.457 OF 2005
IN
SUMMARY SUIT NO.1511 OF 2005

Mohankumar V.Jain ..Plaintiff

Vs.

Jasch Industries Ltd. ..Defendants

Mr.Tushar Goradia for the plaintiff

Mr.N.Engineer i/b RMG Law Associates for the defendants

CORAM : S.U.KAMDAR, J
DATED : 30TH JANUARY, 2006

P.C.:

. By the present summons for judgment, defendants claim that they have not received the goods which is the subject matter of the suit and invoices annexed therein. Inspite of repeated adjournments, plaintiff is not able to produce any document to show delivery of the said goods by plaintiff herein. In that view of the matter, triable issue arises. Summons for Judgment is dismissed accordingly. Unconditional leave to defend is granted.

2. Suit to be transferred to the list of

Commercial Causes. Written Statement or points of defence to be filed within four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.